

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CAROLYN WRIGHT,

Plaintiff,

v.

WALMART INC, a foreign corporation,

Defendant.

NO. 2:22-cv-00877-RSL

JOINT STATUS REPORT & DISCOVERY  
PLAN

Pursuant to FRCP and LCR 26(f), and the Court's June 27, 2022 Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement ("Initial Scheduling Order"), Plaintiff CAROLYN WRIGHT, ("Plaintiff") and Defendant WALMART INC. ("Defendant") (collectively "the parties"), through their respective attorneys of record, hereby submit the following Joint Status Report:

JOINT STATUS REPORT

**1. Nature and complexity of the case:** This is a non-complex personal injury matter over which the Court has original jurisdiction under 28 U.S.C. § 1332. Plaintiff CAROLYN WRIGHT alleges that she sustained personal injuries from having slipped while walking down the store's Grocer Action Alley, located at 1900 South 314th Street, Federal Way, Washington 98003. Defendant WALMART INC. denies liability.

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1       **2. Proposed deadline for joining parties:** The parties agree to a deadline 90 days prior to  
2 the discovery cutoff.

3       **3. Consent to a magistrate judge:** No.

4       **4. Related cases pending in this or other jurisdictions:** None.

5       **5. Initial disclosure** The parties participated in an FRCP 26(f) conference on 7/8/2022.  
6 The parties will make initial disclosures on or before 7/18/2022, in accordance with the Court's  
7 Initial Scheduling Order. All Defendants have been served (no service-related issues).

8       **6. Changes made in the timing of form of expert and pretrial disclosures under**  
9 **FRCP 26(a)(2)-(4):** Parties do not anticipate any changes at this time.

10       **7. Subjects, timing, and potential phasing of discovery:** The parties expect to seek and  
11 exchange discovery related to Plaintiff's allegations, claims, damages and other relief being  
12 sought and Defendant's factual allegations and defenses. The parties will manage discovery in  
13 accordance with the Federal Rules of Civil Procedure and the case scheduling order in this  
14 matter. The parties' views on LCR 26(f)(1) topics:

15       **(A) Anticipated discovery sought:** The parties intend to take depositions as  
16 reasonably necessary to prove their respective claims and/or defenses. In the unlikely event  
17 that one or more of the parties to this matter seeks excessive discovery in the form of  
18 depositions, the opposing party may resort to seeking a protective order under FRCP 26(c).

19       **(B) Preliminary issues relating to the preservation of discoverable information:**  
20 None at this time.

21       **(C) Model protocol for discovery of ESI:** The parties agree to produce ESI in  
22 accordance with a revised version of the Court's Model ESI Agreement.

23       **(D) Alternative to Model Protocol:** Not applicable/none at this time.

24       **8. Agreements or issues related to the preservation of discoverable information and**  
25 **the scope of the preservation obligation:** None at this time.

1       **9. Electronically stored information:** The parties do not have any issues with the  
2 discovery of electronically stored information and propose to produce electronically stored  
3 information (“ESI”) in accordance with a revised version of the Court’s Model Protocol for  
4 Discovery of Electronically Stored Information in Civil Litigation.

5       **10. Privilege issues:** None at this time.

6       **11. Inadvertent disclosure of privileged information:** The parties defer to the Court with  
7 respect to the handling of inadvertent production of privileged information as described in FRE  
8 502(d) or (e), but would respectfully request that any inadvertent disclosure not constitute a  
9 waiver of any applicable privilege.

10       **12. Proposed limitations on discovery:** The parties agree to follow the Federal Rules of  
11 Civil Procedure, including the limits on discovery set forth therein.

12       **13. The date by which discovery can be completed:** The parties request a date 90 days  
13 prior to the date ultimately selected for trial.

14       **14. Prompt case resolution:** The parties believe there is reasonably good potential for  
15 promptly settling or otherwise resolving this case without the need for trial. This case should  
16 not be bifurcated of liability and damage issues and discovery should not be conducted in  
17 phases.

18       **15. Alternative dispute resolution:** The parties are already engaging in informal  
19 settlement negotiations. The parties may also consider mediation after completion of  
20 meaningful discovery and/or after the resolution of dispositive motions, if any, as set forth in  
21 LCR 39.2.

22       **16. The date the case will be ready for trial:** The parties expect that this matter will be  
23 ready for trial in July 2023. Counsel for Walmart have no trial date complications at this time.  
24 Counsel for Carolyn Wright have no trial date complications at this time.

25       **17. Whether the trial will be jury or non-jury:** Jury trial.

1       **18. The number of trial days required:** 4-6 days are required, inclusive of pre-trial  
2 motions and voir dire.

3       **19. The date(s) that each nongovernmental corporate party filed its disclosure under**  
4 **FRCP/LCR 7.1:** June 22, 2022.

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6  
7 DATED this 21st day of July, 2022.

8 CERTA LAW GROUP

WILLIAMS, KASTNER & GIBBS PLLC

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/s/Eddy Silverman

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16 *Counsel for Plaintiff*

17 *Counsel for Defendant Walmart Inc.*  
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**CERTIFICATE OF SERVICE**

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on the date indicated below, I caused service of a true and correct copy of the foregoing document in the manner indicated below to:

Pellegrino L. Certa, WSBA No. 25903

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☒ ECF

☒ E-mail, *per the 5.26.22 E-Service Agreement*

***Counsel for Plaintiff***

Signed at Seattle, Washington this 21st day of July, 2022.

WILLIAMS, KASTNER & GIBBS PLLC

*s/Ryan McDade*

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